

1 JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

3 BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

5 TAREK J. HELOU (CABN 218225)
Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055
7 San Francisco, California 94102
8 Telephone: (415) 436-7071
Facsimile: (415) 436-7234
9 Tarek.J.Helou@usdoj.gov

10 Attorneys for Plaintiff

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 UNITED STATES OF AMERICA, } CR No. 08-276 MHP
17 Plaintiff, } STIPULATION AND [PROPOSED] ORDER
18 v. } EXCLUDING TIME UNDER 18 U.S.C. § 3161
19 GILBERTO NARANJO AVILA, }
20 Defendant. }
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22 On May 5, 2008, the parties in this case appeared before the Court for the defendant's
23 arraignment. At that time, the parties requested, and the Court agreed, to exclude all time under
24 the Speedy Trial Act between May 5, 2008 and May 12, 2008 because the government will
25 produce documents to defense counsel. The parties represented that granting the continuance
26 was the reasonable time necessary for preparation of defense counsel. 18 U.S.C. §
27 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a
28 //

1 continuance outweighed the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. § 3161(h)(8)(A).

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4 SO STIPULATED:

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6 JOSEPH P. RUSSONIELLO
United States Attorney

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8 DATED: May 6, 2008

/s/
TAREK J. HELOU
Assistant United States Attorney

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10 DATED: May 6, 2008

/s/
ELIZABETH M. FALK
Attorney for Defendant GILBERTO NARANJO AVILA

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14 For the reasons stated above, the Court finds that exclusion of time from May 5, 2008
15 through May 12, 2008 is warranted and that the ends of justice served by the continuance
16 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161
17 (h)(8)(A). The failure to grant the requested continuance would deny the defendant effective
18 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C.
19 §3161(h)(8)(B)(iv).

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21 SO ORDERED.

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23 DATED:_____

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28 THE HONORABLE EDWARD M. CHEN
United States District Judge